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10/675,386	09/30/2003	Jeyhan Karaoguz	14824US02	6836

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EXAMINER

TRUONG, THANHNGA B

ART UNIT	PAPER NUMBER
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2135

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,386

Applicant(s)

KARAOGUZ ET AL.

Examiner

Thanhnga B. Truong

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the communication filed on October 22, 2007. Claims 1-31 are pending. At this time, claims 1-31 are still rejected.

Response to Arguments

2. Applicant's arguments filed October 22, 2007, with respect to the rejection(s) of claim(s) 1-31 have been fully considered, but they are not persuasive.

Applicant argues that the combination of teaching between Haines and Cudak does not teach detecting when a legacy media peripheral is connected to at least one of a PC and a media processing system on the distributed media network; establishing at least one identifier associated with said legacy media; and utilizing said established at least one identifier to facilitate communication of said legacy media peripheral over the distributed media network as set forth in claim 1.

Examiner respectfully disagrees with the applicant and still maintains that the combination of teaching between Haines and Cudak teaches the claimed subject matter. In fact, Haines teaches a method of responding to a status change for a peripheral device includes determining that a status change has occurred in the peripheral device, combining a unique device identifier relevant to the peripheral device with the status change to form an electronic message and transmitting the electronic message across a firewall (see Haines' abstract). Haines further teaches detecting when a legacy media peripheral is connected to at least one of a PC and a media processing system on the distributed media network (see Figure 1 and page 2, paragraph 0019 of Haines) and more detecting information is also found in paragraph 00084 of Haines; establishing at least one identifier associated with said legacy media peripheral (page 1, paragraph 0009 of Haines); and utilizing said established at least one identifier to facilitate communication of said legacy media peripheral over the distributed media network (page 1, paragraph 0008 of Haines). Although Haines teaches a method for secure access and communication of information in a distributed media network, Haines is silent on the capability of showing the legacy media

peripheral. On the other hand, Cudak teaches this limitation in column 13, line 14 of Cudak. Therefore, Haines and Cudak have met the limitation of claim 1.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the combination of teaching between Haines and Cudak is proper and efficient.

Haines and Cudak do not need to disclose anything over and above the invention as claimed in order to render it unpatentable or anticipate. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claimed limitations.

The fact that Examiner may not have specifically responded to any particular arguments that made by Applicant and Applicant's Representative should not be construed as indicating Examiner's agreement therewith.

For the above reasons, it is believed that the rejections should be sustained.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haines et al (US 2003/0072027 A1), and further in view of Cudak et al (US 6,058,106).

a. Referring to claim 1:

i. Haines teaches a method for secure access and communication of information in a distributed media network, the method comprising:

(1) detecting when a legacy media peripheral is connected to at least one of a PC and a media processing system on the distributed media network (**see Figure 1 and page 2, paragraph 0019 of Haines**);

(2) establishing at least one identifier associated with said legacy media peripheral (**page 1, paragraph 0009 of Haines**); and

(3) utilizing said established at least one identifier to facilitate communication of said legacy media peripheral over the distributed media network (**page 1, paragraph 0008 of Haines**).

ii. Although Haines teaches a method for secure access and communication of information in a distributed media network, Haines is silent on the capability of showing the legacy media peripheral. On the other hand, Cudak teaches this limitation in column 13, line 14 of Cudak.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have been modified the invention of Haines with the teaching of Cudak to centrally coordinated peer-to-peer wireless communication system (**column 1, lines 29-30 of Cudak**).

iv. The ordinary skilled person would have been motivated to:

(1) have been modified the invention of Haines with the teaching of Cudak to provide a centrally coordinated peer-to-peer wireless

communications network that minimized payload transmissions, greater efficiency would be achieved (**column 2, lines 21-24 of Cudak**).

b. Referring to claim 2:

i. Haines further teaches:

(1) further comprising requesting said at least one legacy media peripheral identifier and at least one identifier of a user utilizing said legacy media peripheral (**page 2, paragraph 0009 and paragraph 0025 of Haines**).

c. Referring to claim 3:

i. Haines further teaches:

(1) wherein said at least one legacy media peripheral identifier is a serial number of said legacy media peripheral (**page 3, paragraph 0040 of Haines**).

d. Referring to claim 4:

i. Haines further teaches:

(1) wherein said at least one user identifier is at least one of a user password and a user name (**page 2, paragraph 0025 of Haines**).

e. Referring to claim 5:

i. Haines further teaches:

(1) further comprising determining a first location (e.g., address) of said legacy media peripheral and said user utilizing said legacy media peripheral (**page 3, paragraph 0040 of Haines**).

f. Referring to claim 6:

i. Haines further teaches:

(1) further comprising associating said legacy media peripheral identifier and said user identifier with said location of said legacy media peripheral (**page 3, paragraph 0040 of Haines**).

g. Referring to claim 7:

i. Haines further teaches:

(1) wherein if said legacy media peripheral previously registered at a first location within said network, acquiring said at least one user identifier to facilitate communication of said legacy media peripheral over the distributed media network **(page 3, paragraphs 0040-0043 of Haines).**

h. Referring to claim 8:

i. Haines further teaches:

(1) further comprising validating said acquired at least one user identifier for said legacy media peripheral prior to said facilitation of communication of said legacy media peripheral over the distributed media network **(page 4, paragraphs 0044-0045 of Haines).**

i. Referring to claim 9:

i. Haines further teaches:

(1) further comprising registering said legacy media peripheral for operation at a second location subsequent to said validation of said acquired at least one user identifier **(page 4, paragraph 0043 of Haines).**

j. Referring to claim 10:

i. Haines further teaches:

(1) further comprising executing a media peripheral association software on said at least one of said PC and said media processing system **(page 4, paragraphs 0047-0049 of Haines).**

k. Referring to claim 11:

i. This claim consist a machine-readable storage having stored thereon, a computer program having at least one code section for secure access and communication of information in a distributed media network to implement claim 1, thus it is rejected with the same rationale applied against claim 1 above.

l. Referring to claims 12-20:

i. These claims have limitations that is similar to those of claims 2-10, thus they are rejected with the same rationale applied against claims 2-10 above.

m. Referring to claim 21:

i. This claim consist a system for secure access and communication of information in a distributed media network to implement claim 1, thus it is rejected with the same rationale applied against claim 1 above.

n. Referring to claims 22-30:

i. These claims have limitations that is similar to those of claims 2-10, thus they are rejected with the same rationale applied against claims 2-10 above.

o. Referring to claim 31:

i. Haines further teaches:

(1) wherein said at least one processor is at least one of a computer processor, a media peripheral processor, a media exchange system processor and a media processing system processor (**page 3, paragraph 0029 of Haines**).

Conclusion

5. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date

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of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.



TBT

January 02, 2008

THANHNGA TRUONG
PRIMARY EXAMINER